

- CITY OF BIGGS -
PLANNING DEPARTMENT STAFF REPORT

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DATE: January 23, 2012
TO: Honorable Mayor and Members of the City Council
FROM: Scott Friend, AICP City Planner
SUBJECT: Zoning Code Provisions - Fences

Report Summary:

Acting at the direction of the City Administrator and pursuant to a request by the City Council, the Planning Department is bringing certain aspects of the City's fence regulations back before to the Council for further consideration and discussion. Specifically, the issues to be addressed include:

- 1) Are the City's current regulations relative to the placement of fences in the public right-of-way reflective of the desires of the City Council (should the City allow front-yard fences in the public right-of-way or not? And if so, how should this be accomplished?); and,
- 2) Are the City's current regulations regarding decorative and lower-height fences in front yard areas appropriate?

Staff has not made a recommendation for action in this report except to request direction from the Council as to whether code amendments are warranted and/or desired by the Council.

Background - General:

Chapter 14 – Zoning; Section 14.60, Development Standards – General, of the Biggs Municipal Code (BMC) establishes the primary authority for the City's regulation of fences. Specifically, Sections 14.60.080, -.090, and -.100 provide the details of the City's fence code requirements (see *Attachment A*). In addition to Section 14.10, Definitions, of Chapter 14 provides definitions for terms used in the enforcement of the provisions of Section 14.60.080.

The Biggs Municipal Code currently defines the term "fence" as follows:

14.10.390 Fence. *"Fence" means a wall or barrier, typically constructed of wood, for the purpose of enclosing space, separating parcels of land and/or providing privacy. [Ord. 320 § 1, 1999]*

Section 14.60.080 establishes the following basic development standards for fences in the City of Biggs (see *Attachment A* for full details):

- Max. fence height in a front yard area: 4' (6' with a use permit)
- Max. fence height in a side- or rear-yard area: 6' (8' with a use permit)
- No barbed wire fences in residentially zoned areas;

- No electrified fences anywhere;
- Fences shall not be permitted which interfere with sight visibility issues or which present safety hazards;
- Fence exceeding three (3) feet in height shall not be permitted closer than 15 feet from the right-of-way in a front yard or street-side yard area.

BMC Citation: 14.60.080 – Fences and landscaping – General height limitations (*Attachment A*)

Discussion – General:

Prior to 2008-2009, the City of Biggs municipal code did not comprehensively regulate the construction of fences in the City nor did the City actively pursue violations of the Zoning Code relative to fences that were not deemed to be safety concerns as code violations. Additionally, no requirement was in effect requiring the receipt of a permit prior to the installation of a new or replacement fence. As a result, numerous fences were constructed that were located within the public right-of-way (e.g. south Second street, Fourth street, F street); created site visibility concerns at street intersections (e.g. Aleut and 4th Street); or, which were not in regulated by the existing code but which caused concern. Because no permit was required to construct a fence, staff were almost always unaware of new fences being installed in locations that were either potentially dangerous or in violation of the City's Code until after the fence had been installed and completed.

In 2009, the Planning Department, working at the direction of the City Council, instituted a fence permit requirement for new or replacement fences. This permit process was intended to provide staff with an opportunity to review items such as fence type, location, and materials *prior to* the installation of the fence in an effort to minimize issues associated with the construction of new fences. The fence permit process is intended to be an over-the-counter approval process with the primary goals of ensuring public safety and eliminating the construction of fences on public property.

More recently, an owner of property at the intersection of 2nd and B streets requested a Code exception to allow for the construction of a fence within the public right-of-way along 2nd Street. In this particular instance, the 2nd Street right-of-way is approximately 15 feet wider than its paved surface and the right-of-way extends onto what many people, including the subject property owner, assume to be their properties. While this assumption is incorrect, it is also unlikely that 2nd Street will need to be widened in the near- or long-term. This, in turn, begs the question as to whether development of fences within the unpaved portion of certain public rights-of-way may in fact be feasible, and desirable, without adversely impacting public safety or the City's ability to widen the roadways or install public improvements (e.g. sidewalks) at some point in the future.

There are obvious reasons for not allowing fences or other private improvements within public rights-of-way, whether it's along 2nd Street or elsewhere in the City. These include: ensuring public safety through the provision of adequate sight distances; maintaining readily available access to public improvements such as fire hydrants, sewer lines, and water conveyances; maintaining the City's ability to widen roadways, develop sidewalks, and/or construct other public improvements without the need to remove private improvements should the need arise; and, to manage public street resources in the interest of all of the citizens of the City. That said, there may also be certain locations and/or circumstances where these issues can be addressed while allowing for the construction of fences that improve both property values and the overall aesthetic value of the community as well.

Background – Fence Height and Use of Public Rights-of-Way:

Fence heights within the front yard setback area are typically kept low in order to ensure adequate sight distance for vehicular ingress and egress relative to roadways and driveways; to ensure the safety and

comfort of pedestrians utilizing sidewalks and walkways; and, to ensure emergency services personnel are able to see addresses on building fronts and to obtain access when responding to service calls. Additional reasons often cited for maintaining lower front yard fence height standards include concerns related to aesthetics and community design (e.g. higher fences can create a 'tunnel effect') and issues related to the maintenance of access for service workers (post office employees, delivery personnel, etc.). While it may be possible to satisfy concerns regarding each of these criteria through the establishment of detailed fence design and use standards addressing location, materials, aesthetics, etc.; it is also reasonable to consider not changing the existing provisions of the City zoning code at all.

In considering whether or not to allow the placement of fences within the public right-of-way or to allow for exceptions to the front yard fence height requirement, it may be useful to review the fence regulations of other jurisdictions. The table below provides a summary of fence regulations adopted elsewhere in the region pertaining to this issue.

Jurisdiction	Max Height in Front	Max Height Side	Max Height Rear	Setback at intersections	Adopted Exceptions for Fences w/in the Public ROW	Exception for open, picket, or decorative
Anderson	3'	6'	6'	None	None	None
Biggs	3'	6'	6'	15' ⁽¹⁾	None	None
Butte County	3.5'	6'	6'	None	None	None
Chico	3'	6-7'	6-7'	None	None	None
Corning	4'	6'	6'	None	None	None
Orland	3'	3'	6'	None	None	None
Oroville	6' ⁽²⁾	6'	6'	5' ⁽³⁾	None	None
Red Bluff	3.5'	6' ⁽⁴⁾	6'	None	None	None
Redding	3'	6'	6'	None	None	None
Willows	3.5'	6'	6'	None	Encroachment Permit	None

Notes: (1) Setback required along front and side yards only if fence is taller than 36 inches in height.

(2) Only if fence does not interfere with sight distance.

(3) Setback required only if fence is greater than 42" in height.

(4) When located on a corner lot adjacent to a key lot, the 6-foot height limit requires consent of the key lot owner and approval of the Planning Director.

Using the information obtained in the preparation of the table above, it can be determined that the fence regulations adopted by the City of Biggs are very similar to those adopted by other jurisdictions in the region. Interestingly, although staff is aware of other jurisdictions that allow exceptions to the front yard fence height requirement, none of the jurisdictions indicated in the table above have adopted specific blanket regulations or exceptions providing for such. Only the City of Willows allows for the development of fences within public rights-of-way through the issuance of an encroachment permit and a follow-up discussion with the City's Public Works Director suggested that while the City Code allows for this situation, staff has generally not been supportive of the issuance of an Encroachment Permits for this purpose. While the issuance of an Encroachment Permit is no doubt essential in order to reduce the City's liability with regard to locating private fences on public property, it would also seem prudent for the City to require property owners to sign a waiver acknowledging their responsibility for any future costs associated with removal and reconstruction of the fence should it become an impediment to public use of the right-of-way if it was determined that fences or other private improvements should be permitted to occur within the public right-of-way.

Observations / Considerations / Discussion Topics:

Based upon the desires of the City Council, staff is seeking direction on the following issues:

1. Does the City Council wish to allow fences within the public right-of-way at all? and, if so, under what circumstances and in what locations does the Council wish to allow such use?
2. Assuming that it is the desire of the City Council to have staff amend the City's existing fence regulations relative to the location of decorative fences within the front-yard area, are the City's current regulations regarding decorative and lower-height fences in front yard areas appropriate? In they are not, what is the desire of the Council relative to making modifications to the City's existing fence code provisions?

As it is staff's goal to make sure that the City's codes reflect the intent of the City Council's vision for development within the City, staff is seeking discussion and direction, as necessary, from the Council on the City's fence-related development standards.

Fiscal Impact:

Staff time for report preparation, presentation and discussion. No direct fiscal impacts or supplemental funding impacts are anticipated with this action at this time.

Request:

Staff is requesting that the City Council acknowledge the receipt of this report and provide any necessary or desired direction on desired revisions to the City's existing development standards dealing with fences.

Attachments:

- Attachment A - Biggs Municipal Code Sections 14.60.080, -.090, -.100: Fencing Standards
Attachment B - North State Fence Code Summary Matrix and Survey Results

**City of Biggs Municipal Code - Chapter 14.60
DEVELOPMENT STANDARDS – GENERAL**

Section:

14.60.080 Fences and landscaping – General height limitations.

14.60.080 Fences and landscaping – General height limitations.

(1) On all lots except double frontage and key lots, fences and similar obstructions shall not exceed four feet in height in front yards, nor six feet in height in any required rear or side yard, unless additional height is authorized by a use permit issued pursuant to Chapter 14.90 BMC (Exceptions). No fence authorized under the provisions of Chapter 14.90 BMC (Exceptions) shall exceed six feet in height in any required front yard, or eight feet in height in any side or rear yard setback.

(2) On double frontage lots, fences and similar obstructions shall not exceed four feet in height in front yards, nor six feet in height in any required rear or side yard, unless additional height is authorized pursuant to Chapter 14.90 BMC (Exceptions).

(3) On key lots, fences and similar obstructions may be constructed within a required front yard setback area to match the height of an adjacent lot's legal existing side or rear yard fence.

(4) No fence greater than six feet in height may be authorized by use permit where such fence would be located within 10 feet of a residential structure either within the subject parcel or on an adjacent residential property.

(5) No fence, wall or other improvement within the sight distance zone, as defined in Chapter 14.10 BMC, shall exceed three feet in height. [Ord. 320 § 1, 1999]

(6) Fence, wall or similar barrier heights may be reduced from standards noted in Section 1, 2 and 3 above, to address non-intersection sight visibility concerns where it is determined that the fence, wall or barrier poses a hazard or safety risk to a public street, right-of-way or driveway.

(7) In no case shall a fence exceeding three feet in height be located closer than 15 feet from the right-of-way in a front or street side-yard area. [Ord. 383, 2009; Ord. 320, 1, 1999]

North State Public Agency Fence Code Summary						
Jurisdiction	Max Height in Front	Max Height Side	Max Height Rear	Setback at Intersections	Exception for ROW	Exception for open, picket, or decorative
Anderson	3'	6'	6'	None	None	None
Biggs	3'	6'	6'	15' ⁽¹⁾	None	None
Butte County	3.5'	6'	6'	None	None	None
Chico	3'	6-7'	6-7'	None	None	None
Corning	4'	6'	6'	None	None	None
Orland	3'	3'	6'	None	None	None
Oroville	6' ⁽²⁾	6'	6'	5' ⁽³⁾	None	None
Red Bluff	3.5'	6' ⁽⁴⁾	6'	None	None	None
Redding	3'	6'	6'	None	None	None
Willows	3.5'	6'	6'	None	Encroachment Permit	None

Notes: (1) Setback along front and side yards if fence is taller than 3 feet.

(2) Fences may not interfere with sight distance.

(3) Setback only if fence is greater than 42" in height.

(4) When located on a corner lot adjacent to a key lot, the 6-foot side yard height limit requires consent of owner of key lot and approval of Planning Director

City of Anderson:

AMC 17.02.130 - Fences, shrubs and similar obstruction.

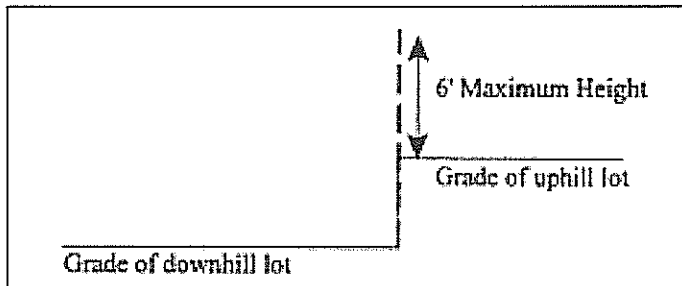
- A. Fences and hedges shall not exceed six feet in height unless authorized by a use permit or required to exceed such height by order of the city council or planning commission. Agricultural-type fencing (barb wire or chain link or net-type) of up to six foot for cattle or horses, or five foot for other livestock shall be allowed up to the front property line without a use permit in the agriculture (AG) zone. Fencing shall be setback twenty feet from street corners.
- B. On the portion of the lot between the front setback line and the street line and on corner lots on the portion of the lot between the side setback and the street line of the intersecting street, fences and hedges shall not exceed three feet in height except in AG zones.
- C. On any rear lot line contiguous to a street or side lot line, fences or hedges shall conform to height limitations applicable to the contiguous portion of the side lot.
- D. In the case of corner lots regardless of zone, fences, shrubs, hedges, structures and/or plantings shall not exceed three feet in height. No trees shall be located or planted in the sight distance area.

City of Redding:

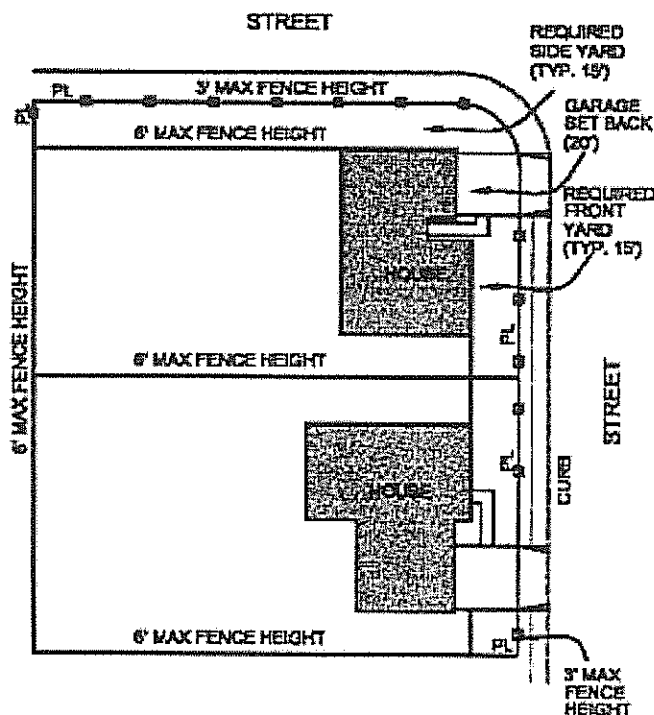
RMC 18.40.180 - Walls and fences.

- A. Residential Districts.
 1. Height. Fences or walls in required front yard setbacks or within ten feet of the property line in a required street-side setbacks shall not exceed three feet. All other fences shall not exceed six feet in height. However, legal, nonconforming fences may be repaired or

replaced. Fence or wall heights between sloped or terraced lots are measured from the grade of the "uphill" side of the fence as shown. Walls and fences required by a site development permit, parcel map, or subdivision may exceed the maximum height limits and minimum setbacks of the zoning district as required by the conditions of approval for the project.



2. Design. In all "RM" districts, fencing shall be treated as an integral part of the architecture, with materials, colors and detailing drawn from the building they surround or adjoin. Fences or walls adjacent to freeways, highways, or arterial or collector streets that are required as a condition of development by the city shall be constructed of decorative masonry, concrete-block, concrete-panel or similar materials. Solid masonry fences or walls shall not be placed within areas of designated one-hundred-year floodplain without proper openings to pass floodwaters in accordance with the requirements of the Federal Emergency Management Agency.



City of Chico:

CMC 19.60.060 Fencing and screening.

The following standards shall apply to the installation of all fences and walls. Fences and walls require approval from the Architectural Review Board (ARB), if ARB review is also required for the underlying development project. Perimeter fences and walls adjacent to the public right-of-way within a proposed subdivision require approval from the Commission, as part of the tentative map review process.

A. Height Limitations. Fences and walls are subject to the following height limitations:

1. General Height Limit.

a. Standard Parcels. On all parcels except corner lots, fences, walls, or similar obstructions shall not exceed the following height limitations:

(1) Front Yards. 3 feet.

(2) Rear Yards. 6 feet for all fences; 7 feet if one foot of lattice or other 50% view permeable material is incorporated into the top one foot of the fence design.

(3) Side Yards. 6 feet for all fences outside the front yard setback area (see Figure 5-1); 7 feet if one foot of lattice or other 50% view permeable material is incorporated into the top one foot of the fence design.

These height limits may be increased by use permit approval, in compliance with Chapter 19.24 (Use Permits); however, no fence authorized by a use permit shall exceed 6 feet in height in any required front or street side yard nor 8 feet in height in any rear or interior side yard.

b. Corner Parcels.

(1) No fence, wall, or other visual obstruction over 3 feet in height above the top of the existing or planned curb elevation shall be located within a sight distance area.

This provision shall not apply to: public utility poles; trees trimmed, to the trunk, to a line at least 13 feet 6 inches over a curb area and 10 feet over a sidewalk; saplings or plant species of open growth habits and not planted in the form of a hedge, which are so planted and trimmed as to leave, at all seasons, a clear and unobstructed crossview; supporting members of appurtenances to permanent structures existing on the effective date of these Regulations; and official governmental warning signs or signals.

(2) Street side yard fences, up to a maximum height of 6 feet, may be located on corner parcels, if there are no sight distance area problems as determined by the Director.

c. Swimming Pools, Spas and Similar Residential Amenities. Swimming pools, spas and other similar residential amenities shall be fenced in compliance with Section 16R.02.080 (Swimming pool enclosures) of the Municipal Code.

d. Parcels with Grade Differential. Where there is a difference of less than 2 feet in the ground level between two adjacent parcels, the height of any fence or wall constructed along the common property line shall be determined by using the finished grade of the highest contiguous parcel. When there is a difference of 2 feet or more in the ground level between two adjacent parcels, the height of any fence or wall on the property line shall be determined by the Director.

The granting of a use permit, in compliance with Chapter 19.24, may allow a fence or wall in excess of 6 feet in height between two adjacent parcels up to maximum height of either 10 feet, measured from the finished grade of the lower parcel at the property line, or 6 feet above the approved minimum finished floor elevation of either adjacent parcel.

B. Setback Requirements. Fences or walls may be located on any property lines in compliance with the height limits of Subsection A (Height Limitations), above.

C. Multi-Family Fencing Requirements. Development of two or more residential units on a single parcel shall require the installation of fencing along the side and rear property lines. Development of a single project on more than one parcel shall require fencing only on the project perimeter side and rear property lines. The fencing in multi-family projects shall not exceed the maximum allowable height, nor be required in a street side yard or adjoining a permanent open space.

D. Fence Design, Generally. Only one type of fence or wall design shall be allowed on any multi-family, commercial, or manufacturing site. Perimeter fencing along a public right-of-way for a single-family subdivision is subject to review and approval by the Commission as part of the subdivision review process. Perimeter fences or walls adjoining public rights-of-way shall be articulated to prevent a monotonous appearance on a continuous wall. The design may include an appropriate mix of materials and finish subject to the approval of the Director.

E. Required Fences Exempt. The provisions of this section shall not apply to a fence or wall required by any law or regulation of the City, State, or any agency thereof.

F. Prohibited Materials. The use of barbed wire, electrified fence, or razor wire fence in conjunction with any fence or wall, or by itself, is prohibited in all zoning districts unless:

1. Approved in any zoning district, in compliance with Chapter 19.24 (Use Permits); or
2. Required by any law or regulation of the City, State, or any agency thereof.

G. Fences Between Different Land Uses. Generally, fences are only required between different land uses, including commercial, manufacturing, or multi-family residential and single family residential, in compliance with Subsection H. A fence or wall in excess of 6 feet, up to a maximum of 8 feet, may be allowed through use permit approval in compliance with Chapter 19.24, on the common property line between two adjacent parcels in different zoning districts, including residential, commercial, or manufacturing zoning districts.

H. Special Fencing or Wall Requirements. All multi-family and non-residential land uses shall comply with the following screening requirements:

1. Screening Between Different Land Uses. Wherever a site zoned for multi-family residential, commercial, or manufacturing purposes adjoins a residential zoning district, a 6-foot-high wood fence or solid decorative masonry wall shall be constructed along the property line adjoining the residential zoning district.

Whichever use is established first shall construct the fence or wall. The fence or wall shall be architecturally treated on both sides, subject to the approval of the Director, the Commission, or the Architectural Review Board if part of a project review.

2. Equipment. Any equipment, whether on the roof, side of structure, or ground, loading docks, service yards, trash and storage areas, and utility services shall be properly screened from public view. The method of screening shall be architecturally compatible with other site development in terms of materials, colors, shape, and size. The screening design and construction shall be subject to the approval of the Director, or the Architectural Review Board if part of a project review, and shall blend with the design of the structures and include appropriately installed and maintained landscaping when on the ground.

3. Outdoor Storage and Work Yards. All auto dismantling operations, auto wrecking yards, building materials supply yards, junk yards, lumber yards, recycling facility/processing centers, scrap metal yards, waste resource and waste recycling operations, and uses with similar outside storage shall comply with the following:

a. Outside uses shall have a solid sight-obscuring masonry wall or metal fence not less than 6 feet, nor more than 8 feet, in height, of a type and design approved in advance of construction or installation by the Director, or the Architectural Review Board if part of a project review. The fence shall include one or more operable gates to be used as the only entrances and exits for the property. The fence and gate shall be properly maintained to continuously conform to all conditions of approval.

b. All operations in conjunction with the above-listed uses, including the loading and unloading of materials and equipment, shall be conducted entirely within the fenced area.

c. All materials and equipment, including storage containers, trailers, and trucks, shall be stored within the fenced area. The materials and equipment shall not be maintained, stored, or used so as to be visible above the height of the sight obscuring fence or wall except as follows:

(1) Mechanical equipment, including cranes, crushers, and loaders, may be of a height which may be visible beyond the limits of the property; and

(2) Except for equipment designed to move under its own power, all mechanical equipment with a height exceeding the sight-obscuring fence or wall shall be located a minimum distance of 40 feet from any exterior property line when adjacent to a residential district.

4. Outdoor Garden Supply Areas. Outdoor garden supply areas shall be screened with fencing, meshing, or other similar sight-obscuring material.

I. Temporary Fencing. Temporary fencing may be necessary to protect archaeological or historic resources and/or trees during site preparation and construction. Temporary fencing for these purposes shall be subject to the approval of the Director.

J. Recreational Court Fencing. Fencing for recreational facilities such as tennis or basketball courts shall comply with all building code regulations.

City of Corning:

CMC 17.50.150 - Fences.

A. No fence shall be constructed prior to obtaining a building permit, as provided for in Title 15 of the Corning Municipal Code, except in the case of a previously existing fence which was damaged or destroyed and which is reconstructed or repaired using similar materials of the same dimensions and location as the original fence.

B. Fences and screen plantings shall not exceed four feet in front yards nor six feet in height in any required rear and side yard, unless specifically required by this chapter or except as provided in this section.

1. The height of fences shall be measured from the ground upon which the fence rests, except that if a fence rests upon earth berm or artificial elevation, the height shall be measured from the base of the earth berm or artificial elevation.

2. Where the height of a fence in the front yard exceeds four feet above centerline grade of a facing roadway, a property owner shall display the street number in a location and of sufficient size that it may be easily seen from the roadway, where a street number has been assigned. For the purposes of this section, display of street numbers on the curb is not adequate.

3. For the purposes of this section, the front yard of a corner lot shall be that portion of the lot between the front door and the property line.

C. Exceptions to the height restrictions may be authorized by TAC where:

1. The obstruction is justified because of noise, glare or other problems generated by the use of an adjacent roadway or other outside influence; and

2. The obstruction does not interfere with parking or driveway areas; and

3. Sight distance at street corners, alleys and driveways is appropriate as determined by the public works department; and
 4. When increasing the height of a front yard fence, a lot owner prominently displays the street numbers of the parcel, if one is assigned, in a place and of a size agreed to by the public works director.
- D. Fences within the city may be constructed of barbed wire or may incorporate spikes or electrical charges only when:
1. A use permit is issued, based upon compatibility with this section and chapter, and which the planning commission may condition to require appropriate warning signs upon said fence; and
 2. Such material may not, under any circumstances, be used within three feet of any public right-of-way; and
 3. The lot involved may legally keep nondomestic animals; or
 4. The planning commission finds that extraordinary circumstances apply that require the use of such a fence, and the circumstances apply almost exclusively to the applicant property.
- E. Solid masonry walls or a sound barrier demonstrated to have equivalent sound attenuation qualities that will reduce peak event noise to general plan standards for residential land uses shall be required. Any substitution for the masonry walls must be accompanied by a certification by an acoustic expert and approved by the planning officer.
1. Solid masonry walls or their equivalent, shall be required as noise and light mitigation between single-family residential development and a multiple-family development, consisting of five or more dwelling units.
 2. Solid masonry walls or equivalent, shall be required to separate all residential development from commercial and industrial development.
 3. Solid masonry walls or equivalent, shall be required as a part of any industrial development which abuts commercial or residential development.
 4. Solid masonry walls or equivalent, shall be constructed on the property line, in accordance with the height standards in this section. The ground area within five feet nearest the wall shall consist of a landscaping screen, composed of plant material which will reach a height of at least eight feet along side yards behind the front yard setback, and rear yards.
 5. Where new development abuts vacant land of a different zone, the solid masonry wall or its equivalent, shall be constructed as a part of that development and not deferred.
 6. Solid masonry walls or its equivalent, shall not be required when existing commercial development expands no more than thirty percent of its building area.
 7. Where new commercial development occurs in the downtown business district, the planning department shall require the proposed design to include a solid masonry wall or its equivalent, to buffer adjoining residential areas; however, where incompatible, the planning commission may waive the requirement through a variance.

City of Oroville:

OMC 26-13.020 Fences, walls and screening.

- A. Applicability. No fence shall hereafter be erected, constructed, altered or maintained except as provided by this section. The requirements of this section shall apply to all fences and walls in all districts, excluding the walls of any building, and shall apply regardless of the construction material used.
- B. Sight Distance Area. No fence shall obstruct the required sight distance area for an intersection.

- C. Fence Height. The height of a fence at any point shall be measured from the base of the fence directly below that point. If a fence is constructed atop a retaining wall, the fence's height shall be measured from the adjacent grade on the high side of wall, as shown in Figure 26-13.020-1.

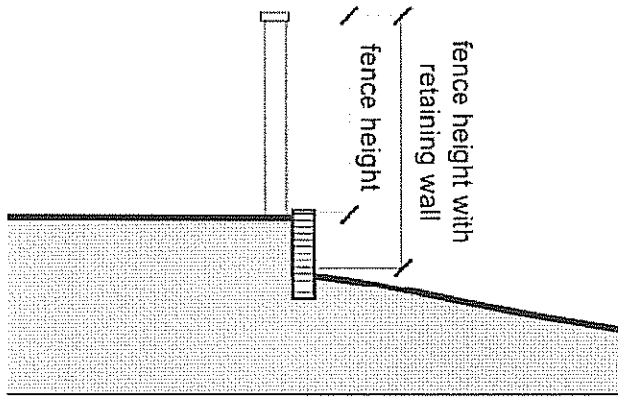


Figure 26-13.020-1: Fence height

- D. Public Areas. Fences that enclose school grounds, public playgrounds, tennis courts, public swimming pools or other public areas may be erected to a height in excess of 6 feet, subject to development review.
- E. Swimming Pools. Fencing shall be provided around all swimming pools, spas and similar areas, in accordance with the requirements of the City Building Code.
- F. Non-Residential Development. Any non-residential development shall meet the following fencing requirements:
1. The site shall include a solid fence along each property line abutting a residential district. The fence shall be between 6 and 7 feet tall.
 2. Where a street separates the site from a property that is in a residential district, the site shall include one of the following along the property line that faces the street:
 - a. A solid fence, between 6 and 7 feet tall, that is located behind any required planting area, and that has a decorative architectural treatment on any side facing a street, parking lot or adjoining residential district; or
 - b. A planting area with evergreen landscaping that restricts visibility into the site.
 3. Loading areas shall be fenced and screened as provided in Section 26-13.080 of this chapter.
 4. Outdoor storage areas shall be fenced and screened as provided in Section 26- 16.140 of this chapter.
 5. All mechanical, electrical and external communication equipment, including air conditioners, refrigeration units, satellite dishes and microwave towers, shall be screened from public view. Screening of roof-mounted equipment shall be architecturally integrated into the building's design.
- G. Residential Development.
1. In all residential districts, the height of any fence or wall located within a required minimum setback shall not exceed 6 feet above grade.
 2. All multiple-family residential projects shall be fenced along the rear property line.
 3. All fences in residential districts greater than 42 inches in height shall be set back at least 5 feet from any property line that abuts a public street. This setback area shall be landscaped in accordance with the requirements of Section 26-13.050 of this chapter.
- H. Refuse Collection Areas.

1. Except for residential developments that include no more than 2 dwelling units on a single site, all areas used for refuse collection shall be enclosed by a solidwalled enclosure that is faced with stucco, split-block masonry or a similar finished surface.
 - a. In multiple-family residential and professional office developments where trash cans that hold no more than 50 gallons of material are used for refuse collection, the enclosure shall have a minimum height of 42 inches.
 - b. In all other non-residential developments, enclosures shall have a minimum height of 6 feet.
2. Gates for refuse collection areas shall consist of a pre-manufactured solid material, such as metal or a similarly durable material.
3. All refuse collection areas shall be on concrete slabs.
- I. Retaining Walls.
 1. All retaining walls shall be constructed with split-face masonry, cast-in-place concrete, interlocking block or a similar material. Retaining walls shall not be constructed of wood.
 2. Any retaining wall that is visible from a public street or public open space shall have a decorative architectural treatment on the wall face.
- J. Electric Fences.
 1. In residential districts that have a minimum lot area of at least 20,000 square feet, electrically-charged fences shall be permitted if they are necessary to contain livestock. Any electrically-charged fence shall be set back at least 20 feet from any lot line unless there is also a solid fence along the lot line.
 2. In all other districts, no electrically charged fences shall be permitted.
- K. Barbed or Razor Wire. Fences may be constructed with sharp-pointed materials, such as barbed or razor wire, only as follows:
 1. In residential districts that have a minimum lot area of at least 20,000 square feet, fences may be constructed with barbed or razor wire if they are necessary to control livestock. Any fence that is constructed with barbed or razor wire shall be set back at least 20 feet from any lot line unless there is also a solid fence along the lot line.
 2. In all other residential districts, and on sites that abut a residential district or are separated by a street from a residential district, no fences may be constructed with barbed or razor wire.
 3. In industrial districts, fences may be constructed with barbed or razor wire if the wire is at least 6 feet above grade.
 4. In commercial and special purpose districts, fences may be constructed with barbed or razor wire only upon approval of a use permit. Before granting the use permit, the Planning Commission shall find, based on substantial evidence, that the barbed or razor wire is necessary in order to provide adequate security for the site and there is no reasonable alternative.
- L. Permits. Permits shall be obtained for the erection, construction, alteration and maintenance of fences as specified in the City Building Code.

26-13.050 Landscaping standards.

E. Landscaping in Residential Districts.

1. Sites in residential areas shall provide landscaping in as much of the front setback as is practical, excluding any areas with paved driveways or pedestrian paths. In no case shall more than 75 percent of the front setback be paved.
2. Where a side or rear property line is adjacent to a street, the site shall include a planting area along the property line with a width of at least 5 feet. Any fence around the property shall be located behind the planting area.

City of Willows:

WMC 18.110.050 Fences.

(1) Fences shall not be placed or erected on public property unless an encroachment permit has been first obtained from the director of public works.

(2) In R districts, fences in side and rear yards may not exceed six feet in height and may not exceed three and one-half feet in front yards.

City of Red Bluff:

RBMC 25.192 YARDS

(D) In case of a corner lot adjacent to a key lot in any residential district, the street side setback of the corner lot within 20 feet of the side line of the key lot shall be equal to the front yard required on the key lot, except that the corner lot fence may be built to a height not to exceed six feet upon written consent of the owner of the key lot and approval of the Planning Director.

(E) In R-1, R-2, R-3, R-4, H-R and MHCA districts, fences, walls and hedges shall not exceed six feet in height in side and rear yards and shall not exceed 42 inches in height in front yards and the setback required in division (D) above.